



Practitioner's D c k t N . P-1047

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stefan O. Dick, et al.

Application No.: 10/040,794 / Group No.:

Filed: Jan. 7, 2002 ✓ Examiner:

For: PLATE-SHAPED PRESSED BODIES ✓

Confirmation No. 1992 ✓

Box Missing Part
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
JUL 29 2002
OFFICE OF PETITIONS

COMPLETION OF FILING REQUIREMENTS
— NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 18, 2002 ✓

NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

- ☒ A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

NOTE: The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: July 16, 2002

Signature

Dorothy Goodlett

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Completion of Filing Requirements— Nonprovisional Application [5-1]—page 1 of 6)

DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 C.F.R. § 1.48(f)(1).

OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For surcharge fee for filing declaration after filing date complete item VI(3) below.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. § 1.63:

"(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);

"(B) serial number and filing date;

"(C) attorney docket number which was on the specification as filed;

"(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

M.P.E.P. § 601.01(a), 7th Ed.

NOTE: Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).

(complete (c) or (d), if applicable)

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT CANCELLING CLAIMS

- III. ☐ Cancel claims _____ inclusive.

**TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS**

- IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: For fee processing a non-English application, complete item VI(5) below.

NOTE: A non-English oath or declaration in the form provided by the PTO need not be translated. 37 C.F.R. § 1.69(b).

SMALL ENTITY STATUS

V.

- a. ☐ An assertion that this filing is by a small entity

(check and complete applicable items)

- ☐ is attached.
☐ was filed on _____ (original).
☐ was made by paying the basic filing fee as a small entity.
☐ is being made now by paying the basic filing fee as a small entity.
- b. ☐ A separate refund request accompanies this paper.

COMPLETION FEES

VI.

WARNING: Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. § 1.53.

NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. § 1.28(a).

1. Filing fee

- ☐ original patent application
(37 C.F.R. § 1.16(a)—\$740.00; Small entity—\$370.00) \$ _____
- ☐ design application
(37 C.F.R. § 1.16(f)—\$330.00; small entity—\$165.00) \$ _____
\$ _____

2. Fees for claims

- ☐ each independent claim in excess of 3
(37 C.F.R. § 1.16(b)—\$84.00; small entity—\$42.00) \$ _____
- ☐ each claim in excess of 20
(37 C.F.R. § 1.16(c)—\$18.00; small entity—\$9.00) \$ _____
- ☐ multiple dependent claim(s)
(37 C.F.R. § 1.16(d)—\$280.00; small entity—\$140.00) \$ _____

3. Surcharge fees

- ☒ declaration or oath late payment of filing fee and/or late filing of original (37 C.F.R. § 1.16(e)—\$130.00; small entity—\$65.00); \$ 130.00

NOTE: If both the filing fee and declaration or oath were missing from the original papers, the Office practice under § 37 C.F.R. § 1.16(e) is that only one surcharge Fee need be paid whether the later filed oath or declaration and/or the filing fee are submitted afterwards at the same time or at different times.

4. ☒ Petition and fee for filing by other than all the inventors or a person not the inventor (37 C.F.R. §§ 1.17(i) and 1.47—\$130.00) \$ 130.00

5. ☐ Fee for processing an application filed with a specification in a non-English language (37 C.F.R. §§ 1.17(k) and 1.52(d)—\$130.00) \$ _____

6. ☐ Fee for processing and retention of application (37 C.F.R. §§ 1.21(l) and 1.53(d)—\$130.00) \$ _____

7. ☐ Assignment (See "ASSIGNMENT COVER SHEET".)

NOTE: 37 C.F.R. § 1.21(l) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as, the changes to 37 C.F.R. §§ 1.53 and 1.78 indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of § 1.21(l) within 1 year of notification under § 1.53(f) must be paid.

Total completion fees \$ 260.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

NOTE: 37 C.F.R. § 1.704(b) " . . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 110.00

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s) \$ 260.00

Extension fee (if any) \$ 110.00

Total Fee Due \$ 370.00

PAYMENT OF FEES

IX.

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 370.00
- ☒ Authorization is hereby made to charge the amount of \$ _____
- ☒ to Deposit Account No. 03-3420
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should *not* be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

WARNING: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☐ The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

☐ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☐ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

☐ 37 C.F.R. § 1.17 (application processing fees)

NOTE: "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee . . ." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.


SIGNATURE OF PRACTITIONER

Scott R. Cox

(type or print name of practitioner)

Reg. No. 31,945

Tel. No.: (502) 589-4215

Customer No.:

400 West Market St., Suite 2200
P.O. Address

Louisville, KY 40202

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JUL 29 2002

OFFICE OF PETITIONS



#3

Practitioner's Docket N . P-1047

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stefan O. Dick, et al. ✓

Serial No: 10/040,794 ✓

For: PLATE-SHAPED PRESSED BODIES ✓

Filed: Jan. 7, 2002 ✓

the specification of which:

(check and complete (a), (b), or (c))

- (a) ☐ is attached hereto.
- (b) ☒ was filed on Jan. 7, 2002, as Application Serial No. ~~6~~ ^{XXX} / 10/040,794 and was amended on _____ (if applicable).
- (c) ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. § 1.47)

NOTE: This statement as to the pertinent facts concerning the refusal of the nonsigning inventor to join in the application or where the omitted inventor cannot be found or reached must accompany the declaration signed on behalf of the omitted inventor by a joint inventor or by a legal representative who shows a proprietary interest. Where the entity with a proprietary interest executes the declaration on behalf of the omitted inventor there must also be a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage. 37 C.F.R. §§ 1.47(a) and (b).

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

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(check next item, if applicable)

- ☐ Because signing on behalf of the nonsigning inventor is by a person or entity showing a sufficient proprietary interest, this statement also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

NOTE: The statement "must be signed, where at all possible, by a person having first-hand knowledge of the facts recited therein." M.P.E.P. § 409.03(d), 7th ed. If different persons have first-hand knowledge of different facts, then a declaration from each such person as to those facts he or she knows should be submitted separately.

NOTE: Copies of documentary evidence, such as certified mail return receipt, cover letter of instructions, telegrams, etc., that support a finding that the nonsigning inventor could not be reached should be made part of the affidavit or declaration. It is important that the affidavit or declaration contain statements of fact as opposed to conclusions. M.P.E.P. § 409.03(d), 7th ed.

(Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor [1-6] page 1 of 8)

IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS

Scott R. Cox, Attorney for Inventors

Name

400 West Market St., Suite 2200

Address

Louisville, KY 40202

LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

NOTE: *The last known address of the nonsigning inventor must be stated so that the PTO can forward the notice of filing of the application to the nonsigning inventor at said address. (37 C.F.R. § 1.47). A post office box is insufficient. M.P.E.P. § 409.03(e), 6th ed.*

Tim Luong

Full name of nonsigning inventor

1099 Irvy Glenn Drive

Last known address of nonsigning inventor

St. Jose, California 95133

NOTE: *Ordinarily, the last known address will be the last known residence of the nonsigning inventor, but other addresses at which the nonsigning inventor may be reached should also be given in the space below. M.P.E.P. § 409.03(e), 6th ed.*

LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

NOTE: *The last known address of the nonsigning inventor must be stated so that the PTO can forward the notice of filing of the application to the nonsigning inventor at said address. (37 C.F.R. § 1.47). A post office box is insufficient. M.P.E.P. § 409.03(e), 6th ed.*

Greg Morgan

Full name of nonsigning inventor

28 Calle del Caballo

Last known address of nonsigning inventor

Sandia Park, New Mexico 87047

NOTE: *Ordinarily, the last known address will be the last known residence of the nonsigning inventor, but other addresses at which the nonsigning inventor may be reached should also be given in the space below. M.P.E.P. § 409.03(e), 6th ed.*



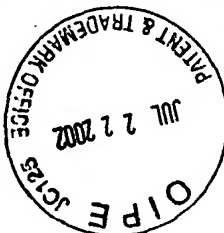
UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,794	01/07/2002	Stefan O. Dick	P-1047

LYNCH, COX, GILMAN & MAHAN, P.S.C.
Suite 2200
400 West Market Street
Louisville, KY 40202



CONFIRMATION NO. 1992

FORMALITIES LETTER



OC00000007910796

Date Mailed: 04/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION RECEIVED

FILED UNDER 37 CFR 1.53(b)

JUL 29 2002

Filing Date Granted

OFFICE OF PETITIONS

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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000.00 02



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	SRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/260,282	01/08/2001		150	P-1047			

Scott R. Cox
Suite 2200
400 West Market Street
Louisville, KY 40202



CONFIRMATION NO. 7678

FILING RECEIPT



OC000000007805858

Date Mailed: 04/05/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stefan Dick, Weihering, GERMANY; ✓
Tim Luong, St. Jose, CA; ✓
Greg Morgan, Sandia Park, NM; ✓
Arthur Schepf, Belen, NM; ✓
Tateshi Kimura, Louisville, KY; ✓

If Required, Foreign Filing License Granted 04/05/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Plate-shaped pressed bodies ✓

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OFFICE OF PETITIONS

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Dick, Stefan O., et al.

Serial No. 10/040,794

Filing Date: Jan. 7, 2002

Attorney Docket No. P-1047

For: PLATE-SHAPED PRESSED BODIES



Art Unit:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

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DETAILS OF EFFORTS TO REACH
NON-SIGNING INVENTORS

OFFICE OF PETITIONS

I, Scott R. Cox, make the following statement of facts in support of the filing on behalf of the non-signing inventor under 37 C.F.R. 1.147:

1. A provisional patent application, Application No. 60/260,282 was filed with the United States Patent and Trademark Office on January 8, 2001.

2. The listed inventors in this provisional application were Stefan Dick, Tateshi Kimura, Arthur Schepf, Greg Morgan, Tim Luong, Andrew J. Robertson and Mike Gaffney. Attached as Exhibit A is the Filing Receipt from that application.

3. The application was perfected by filing a non-provisional application on January 7, 2002. Attached as Exhibit B is a copy of

the check, postcard, and Express Mail label receipt that were filed with that application, showing that the application was filed on January 7, 2002. The same seven individuals were listed as the inventors of this non-provisional patent application.

4. On March 18, 2002 I mailed to Dr. Stefan Dick a Declaration and Assignment for execution by the inventors of the non-provisional patent application. A copy of my letter of March 18, 2002 conveying the Declaration is attached as Exhibit C.

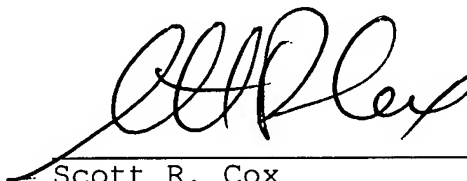
5. Dr. Stefan Dick informed me that two of the inventors, Greg Morgan and Tim Luong, were no longer employed by Süd-Chemie and he had been unable to reach them to obtain their signatures on the Declaration.

6. On May 10, 2002 I sent by Certified Mail, return receipt requested, letters to Mr. Luong and Greg Morgan, copies of which are attached as Exhibits D and E. Attached to each of these letters was a copy of the U.S. non-provisional patent application that was filed with the United States Patent and Trademark Office on January 7, 2002. Also attached were a Declaration and Assignment for execution by each of these inventors. I attach to this document as Exhibit F the Post Office receipt card showing that the Certified Mail was received by Mr. Luong. I also attach as Exhibit G the Post Office card that was submitted for Greg Morgan unsigned, showing that he never picked up the Certified Mail.

7. I received no further contact from either Greg Morgan or Tim Luong to my correspondence.

8. Dr. Stefan Dick advised me that he has made efforts to contact Tim Luong and Greg Morgan and obtain their signature on the Declaration but he has been unable to contact them.

9. It is my opinion that both Tim Luong and Greg Morgan are unavailable as required under 37 C.F.R. 1.47.



Scott R. Cox
Reg. No. 31,945
LYNCH, COX, GILMAN & MAHAN, P.S.C.
400 West Market St., Suite 2200
Louisville, KY 40202
(502) 589-4215

Date:

July 16 2002

Attachments: Exhibits A-G

SRC:dg
C:\WP\PAT\P1047.A
410470
7-16-02

LYNCH, COX, GILMAN & MAHAN P.S.C.

**400 WEST MARKET STREET, SUITE 2200
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(502) 589-4215

Fax (502) 589-4994

E-Mail scox@lcgandm.com



SCOTT R. COX



March 18, 2002

Federal Express

INDIANA OFFICE:
521 E. 7TH STREET
JEFFERSONVILLE, INDIANA 47130
TELEPHONE
(812) 283-7838

Dr. Stefan Dick
SÜD-CHEMIE PERFORMANCE PACKAGING
2305 Renard Place SE
Albuquerque, New Mexico 87106

Re: "Plate-Shaped Pressed Bodies"
Süd-Chemie AG
Dr. Westendorp Reference No. 4465-II-20.640
Our Reference Number: P-1047, P-1047A & P-1047B

RECEIVED

JUL 29 2002

OFFICE OF PETITIONS

Dear Dr. Dick:

Enclosed are three sets of Declarations and Assignments for the above-referenced. Dr. Westendorp requested that I forward these to you for signature. After you have executed and dated each form, please forward to the other inventors for signing and have the completed forms returned to me.

Should you have any questions, please contact me.

Sincerely,

LYNCH, COX, GILMAN & MAHAN, P.S.C.

Scott R. Cox

SRC:dg

Enclosures

C:\WP\COR1\SUD08.032
410470

LYNCH, COX, GILMAN & MAHAN P.S.C.

400 WEST MARKET STREET, SUITE 2200

LOUISVILLE, KENTUCKY 40202

(502) 589-4215

Fax (502) 589-4994

E-Mail scox@lcgandm.com



SCOTT R. COX

May 10, 2002

Certified Mail

INDIANA OFFICE:
521 E. 7TH STREET
JEFFERSONVILLE, INDIANA 47130
TELEPHONE
(812) 283-7838

Tim Luong
1099 Irvy Glenn Drive
St. Jose, CA 95133

Re: "Plate-Shaped Pressed Bodies"
Our Reference Number: P-1047

Dear Mr. Luong:

I represent Süd-Chemie Performance Packaging concerning its intellectual property matters. You are listed as one of the inventors of an invention titled "Plate-Shaped Pressed Bodies." I attach with this letter a copy of a U.S. patent application for that invention which was recently filed with the United States Patent and Trademark Office.

I also enclose with this letter an original Declaration which declares that you were an inventor of that application and an Assignment which assigns your interest in that invention to Süd-Chemie AG. Please sign the Declaration and Assignment documents where noted and return them to me in the enclosed, self-addressed envelope. Note that the envelope is a Federal Express envelope, which I would appreciate you dropping off at the local Federal Express office. The cost of the shipment of this package has been prepaid.

Süd-Chemie A.G. has also filed two PCT patent applications for "Plate-Shaped Pressed Bodies." Süd-Chemie has decided to file those application with the USPTO in the near future as two separate U.S. patent applications. I enclose with this letter an Assignment and Declaration for each of those applications. Please sign all of these documents where noted and return them to me in the Federal Express envelope to my office.

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Jan. 7, 2002

Sir: Kindly acknowledge receipt of the below identified:

~~NEW APPLICATION TRANSMITTAL~~ (Including added pages where
benefit of Prior US Application Claimed)
~~PRELIMINARY AMENDMENT~~, including Exhibit A
~~NON-PROVISIONAL APPLICATION~~ (including 1 sheet drawing)
~~CHECK IN PAYMENT OF FILING FEE~~ (\$812)

~~Inventors:~~ Stefan O. Dick; Tateshi Kimura; Arthur Schepf;
Greg Morgan; Tim Luong; Andrew J. Robertson; Mike Gaffney
Title: PLATE-SHAPED PRESSED BODIES
Attorney Docket: P-1047

J1040 U.S. PTO

10/040794

Express Mail No. ET998036205US



01/07/02

Respectfully submitted,
LYNCH, COX, GILMAN & MAHAN, P.S.C.

Scott R. Cox (Reg. No. 31,945)

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LYNCH, COX, GILMAN & MAHAN P.S.C.



Tim Luong
Re: P-1047
May 10, 2002
Page Two

If you have any questions concerning this letter, please contact me at (502) 589-4215. You may also contact Dr. Stefan Dick at Süd-Chemie Performance Packaging who may be reached at (505) 244-7190 if you have any questions concerning these applications.

Sincerely,

LYNCH, COX, GILMAN & MAHAN, P.S.C.

Scott R. Cox

SRC:dg
Enclosures

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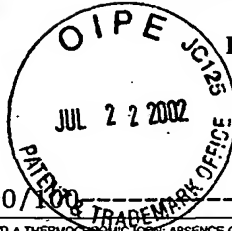
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ORDER
OF

Assistant Commissioner for Patents
Washington, D.C. 20231

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LYNCH, COX, GILMAN & MAHAN PSC

DETACH AND RETAIN THIS STATEMENT
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410470 Sud-Chemie AG (P-1047)

Filing fee for filing non-provisional application \$812.00

Inventors: Stefan O. Dick; Tateshi Kimura; Arthur Schepf;
Greg Morgan; Tim Luong; Andrew J. Robertson; Mike Gaffney

Title: PLATE-SHAPED PRESSED BODIES

Attorney Docket: P-1047

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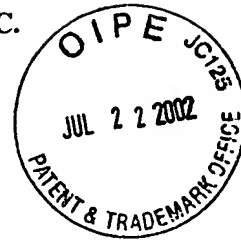
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LOUISVILLE, KENTUCKY 40202

(502) 589-4215

Fax (502) 589-4994

E-Mail scox@lcgandm.com



SCOTT R. COX

May 10, 2002

Certified Mail

INDIANA OFFICE:
521 E. 7TH STREET
JEFFERSONVILLE, INDIANA 47130
TELEPHONE
(812) 283-7838

Greg Morgan
28 Calle del Caballo
Sandia Park, NM 87047

Re: "Plate-Shaped Pressed Bodies"
Our Reference Number: P-1047

Dear Mr. Morgan:

I represent Süd-Chemie Performance Packaging concerning its intellectual property matters. You are listed as one of the inventors of an invention titled "Plate-Shaped Pressed Bodies." I attach with this letter a copy of a U.S. patent application for that invention which was recently filed with the United States Patent and Trademark Office.

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LYNCH, COX, GILMAN & MAHAN P.S.C.

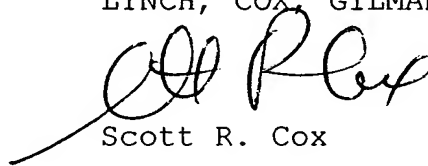


Greg Morgan
Re: P-1047
May 10, 2002
Page Two

If you have any questions concerning this letter, please contact me at (502) 589-4215. You may also contact Dr. Stefan Dick at Süd-Chemie Performance Packaging who may be reached at (505) 244-7190 if you have any questions concerning these applications.

Sincerely,

LYNCH, COX, GILMAN & MAHAN, P.S.C.


Scott R. Cox

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St. Jose, CA 95133

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